

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

§
ANTONIO FREEMAN, #01512080, §
§
Plaintiff, §
§
v. § Case No. 6:22-cv-253-JDK-JDL
§
TDCJ DIRECTOR, et al., §
§
Defendants. §
§

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Plaintiff Antonio Freeman, a Texas Department of Criminal Justice inmate proceeding pro se, brings this civil rights lawsuit under 42 U.S.C. § 1983. The case was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636.

On July 15, 2022, Judge Love issued a Report and Recommendation recommending that the Court dismiss this case without prejudice until Plaintiff pays the sanctions imposed by the Northern District of Texas and provides proof that he has satisfied the sanctions imposed. Docket No. 6; *see also Balawajder v. Scott*, 160 F.3d 1066, 1067-68 (5th Cir. 1999) (holding that courts may honor sanctions issued by another court). Plaintiff timely objected. Docket No. 8.

Where a party timely objects to the Report and Recommendation, the Court reviews the objected-to findings and conclusions of the Magistrate Judge de novo. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the Court examines the entire

record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*), superseded on other grounds by statute, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days).

Having conducted a de novo review of the record in this case and the Magistrate Judge's Report, the Court has determined that the Report of the Magistrate Judge is correct, and Plaintiff's objections are without merit. Accordingly, the Court hereby **ADOPTS** the Report of the Magistrate Judge (Docket No. 6) as the opinion of the District Court. It is further **ORDERED** that the complaint is **DISMISSED** without prejudice until Plaintiff pays the sanctions imposed by the Northern District of Texas and provides proof that he has satisfied the sanctions imposed. Plaintiff may resume his lawsuit if he pays the sanctions imposed by the Northern District of Texas and provides proof to the Clerk of Court that he has satisfied the sanctions imposed.

The Clerk of Court is directed to **RETURN** unfiled any document submitted by Plaintiff until he pays the sanctions imposed by the Northern District of Texas.

If Plaintiff provides proof that he has satisfied the sanctions and his case is reinstated to the docket, his suit will be subject to screening pursuant to 28 U.S.C. § 1915.

So **ORDERED** and **SIGNED** this 10th day of August, 2022.



JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE